

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.**

In the Matter of )

Advanced Television Systems )  
And Their Impact Upon The )  
Existing Television Broadcast )  
Service )

MM Docket No. 87-268

**DOCKET FILE COPY ORIGINAL**

To: The Commission

**REQUEST TO FILE SUPPLEMENT IN RESPONSE TO REPLY TO  
OPPOSITION TO PETITION FOR RECONSIDERATION AND CLARIFICATION**

Detroit Educational Television Foundation ("Foundation"), through its attorneys, respectfully requests permission to file this Supplement in response to the Reply filed by Cannell Cleveland, L.P. ("Cannell") to the Foundation's Opposition to Cannell's Petition for Reconsideration and Clarification in the above-captioned proceeding. The sole purpose of this Supplement is to respond to new issues raised by Cannell in its Reply, to which the Foundation has not yet had the opportunity to submit a formal reply. These new matters are fully canvassed in the attached Engineering Statement by the Foundation's engineering consultant. Grant of this request will not delay the Commission's consideration of this matter or prejudice any party. Such grant will assure fairness to the Foundation to respond to these new issues and thus provide a full record for Commission consideration. Accordingly, grant of this request and acceptance of this Supplement and attached Engineering Statement would well serve the public interest.

Respectfully submitted,

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DETROIT EDUCATIONAL TELEVISION  
FOUNDATION

By: Robert A. Woods  
Robert A. Woods

Its Attorneys

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## **ENGINEERING STATEMENT**

of

**John F.X. Browne, P.E.**

re

**Petition of Cannell Cleveland, L.P.**

**Prepared for**

**Detroit Educational Television Foundation**

**licensee of**

**WTVS-TV**

**Detroit, MI**

Cannell Cleveland, L.P., licensee of WUAB-TV, Lorain, OH (Cannell) petitioned the Commission to place a limit on the power of WTVS-DT based on claims of potential interference to WUAB-TV (NTSC). WTVS-TV is licensed to the Detroit Educational Television Foundation (DETF) and has been allotted Channel 43 for its DTV operations; this is co-channel with WUAB-TV.

DETF filed an Opposition to the Cannell petition and petitioner subsequently filed a Reply to the Opposition. This statement addresses new issues raised in the reply to which DETF has not yet had the opportunity to submit a formal reply.

### **Background**

DETF is very concerned about the very low power allotment it received (50 kW) for DTV operations. Other stations in the Detroit market have transmitter sites closer to the center of the city of Detroit (e.g., WJBK-TV, WDIV-TV and WXYZ-TV) and have been allotted power levels of 1,000 kW.

By way of further example, WJBK-TV is sited only 5 miles from the center of the principal city of Detroit; WTVS is sited <sup>1/</sup> approximately 11 miles from the same point and it can be expected that the WTVS signal would be reduced at least 10 dB (FCC F50,90) relative to what it would be if WTVS was sited (colocated) with these 1,000 kW facilities. Therefore, in the center of its principal city, WTVS will suffer a 23 dB (13 dB + 10 dB) disadvantage, i.e., a difference in effective radiated power density of 200-times, relative to its neighbors in the market.

Cannell wishes to limit any power increase for WTVS-DT during the transition period, or more specifically, until WUAB-TV ceases NTSC operations. Cannell bases its request on assumed anomalous propagation conditions which it alleges exist across Lake Erie (which lies between Detroit and Cleveland).

Unfortunately, the bearings from the WTVS transmitter site to the areas Cannell claims would be affected by interference from WTVS are also bearings from the WTVS transmitter site to its principal city of Detroit which, as noted above, would already be subject to reduced signals on a comparative basis. Any power limitation in these directions would be extremely harmful to WTVS's DTV operations.

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<sup>1/</sup> Also the site of two other UHF TV stations serving Detroit.

**Cannell's Request**

In its Reply, Cannell makes clear the substance of its request when it states:

"Moreover, Cannell is only asking that the Commission limit WTVS(TV)'s power to that authorized during the DTV transition period while WUAB(TV) is still broadcasting an NTSC signal." <sup>2/</sup>

This is somewhat different from the more sweeping statement contained in its earlier filing:

"Using the technical criteria outlined in OET Bulletin 69, Cannell has now confirmed that WTVS(TV)'s DTV operations on Channel 43 in Detroit, Michigan, and WGGN(TV)'s operation on Channel 42 in Sandusky, Ohio, will cause significant interference to WUAB(TV)'s existing NTSC service and requests that the Commission adopt measures to ensure against this type of interference." <sup>3/</sup>

However, the broader connotation appears again in the latest filing: "Accordingly, to protect WUAB(TV)'s existing NTSC coverage, it is essential that some restrictions be placed on WTVS(TV)'s power during the DTV transition period" <sup>4/</sup>.

It is assumed that Cannell is now not requesting that the Commission limit the DTV power of the WTVS DTV allotment (to mitigate the interference allegedly caused by that allotment) but "only" to limit any future power increases above the 50 kW allotment; no mention was made regarding a future change in antenna height in the Cannell petition. Since DETF may propose power / height increases in azimuths which have no potential for impacting on WUAB-TV, certainly Cannell did not mean to imply that any change in WTVS-DT operating parameters should be restricted.

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<sup>2/</sup> Reply at page 2.

<sup>3/</sup> Supplement to Petition for Reconsideration and Clarification at pages 1, 2.

<sup>4/</sup> Reply at page 4.

**Prediction Methodologies for DTV**

The Commission has adopted interference protection standards for DTV which do not include a provision for adjusting desired/undesired field strengths based on assumed variations in propagation conditions (particularly having arbitrary values).

Cannell cites one study in particular <sup>5/</sup> conducted by the Canadian Department of Communications and the FCC. One quote from that report included in the Reply <sup>6/</sup> suggests that the long term average signal levels are, in fact, very close to the FCC predicted values for VHF signals; significantly, UHF data was not included. FCC service definitions are based on an assumption that threshold-interfering signal levels will be exceeded 10% of the time or less due to propagation variations with time. Petitioner presents no information or data as to the duration of such phenomena nor to what extent, if any, interference due to these effects will exceed 10% of the time.

DETF recognizes Cannell's concern in protecting its NTSC coverage area; DETF has some similar concerns with its own NTSC service area. However, all stations must operate within the rules and procedures established by the Commission for predicting interference; the sense of the rules is clear in that a DTV station may not propose any parameter change which increases interference to an NTSC station as defined by these prediction methodologies. This will afford to WUAB the same protection afforded to WTVS and all other stations. If Cannell wishes to have the Commission adopt some revised prediction methodologies which codify the treatment of propagation anomalies, such as those which may exist across Lake Erie, it may do so in an appropriate filing with the Commission such as a petition for rule making. <sup>7/</sup>

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<sup>5/</sup> Report on Great Lakes Propagation Measurement Program: Comparisons of Canadian Data with the Predictions of FCC R-6602; CRC No. Report 1332.

<sup>6/</sup> Reply, Attachment A, page 3.

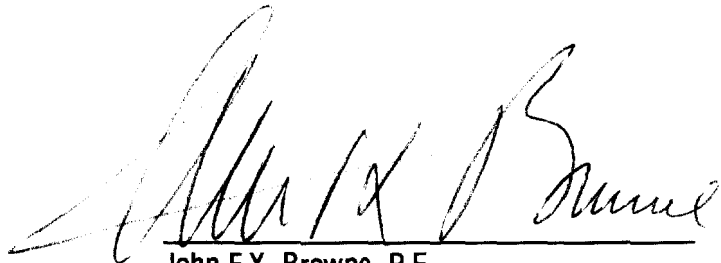
<sup>7/</sup> However, before doing so, Cannel may wish to evaluate the impact of its DTV allotment (Channel 28) under these assumed conditions, on WFUM-TV (Flint, MI) which also operates on Channel 28 and has Grade B service over Detroit.

**B**

The Commission should not impose any special condition on WTVS-DT that has not been fully scrutinized and established through an appropriate regulatory process and which is applicable to all similarly-situated stations.

**Certification**

This statement was prepared by me or under my direction. All assertions contained in the statement are true of my own personal knowledge except where otherwise indicated and these latter assertions are based on information from reliable sources and are believed to be true.

A handwritten signature in cursive script, appearing to read "John F.X. Browne", written over a horizontal line.

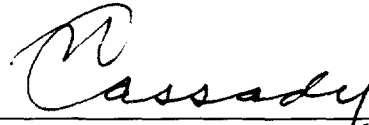
John F.X. Browne, P.E.  
October 20, 1997

/kjr

## CERTIFICATE OF SERVICE

I, Nancy M. Cassady, Secretary in the law offices of Schwartz, Woods & Miller, hereby certify that I have on this 22<sup>nd</sup> day of October, 1997, sent by First Class United States mail, postage prepaid, a copy of the foregoing **REQUEST TO FILE SUPPLEMENT IN RESPONSE TO REPLY TO OPPOSITION TO PETITION FOR RECONSIDERATION AND CLARIFICATION** to the following:

Elizabeth A. McGeary, Esquire  
Dow, Lohnes & Albertson  
1200 New Hampshire Avenue, N.W.  
Suite 800  
Washington, DC 20036



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Nancy M. Cassady